

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

LIONRA TECHNOLOGIES LTD.,

v.

FORTINET, INC.,

Case No. 2:22-cv-00322-JRG-RSP

(Lead Case)

**JURY TRIAL DEMANDED**

**PLAINTIFF’S RESPONSE TO DEFENDANT FORTINET, INC.’S  
MOTION TO CONTINUE TRIAL DATE**

Defendant Fortinet, Inc.’s (“Fortinet”) Motion to Continue Trial Date (Dkt. No. 605, “Mot.”) should be denied.

Lionra stands ready to proceed to trial and, for the second time, Fortinet has identified a potential conflict with another trial of its technical expert Dr. Kevin Almeroth during the week of September 9, 2024. Case schedules are frequently in flux and it is possible that the *Zynga* case may settle or be continued, meaning Dr. Almeroth will no longer have a conflict. In addition, Lionra can work with Fortinet to schedule Dr. Almeroth’s testimony to be taken out of order, if necessary.<sup>1</sup>

In any event, the Court should reject Fortinet’s suggestion that both parties present their technical witnesses by trial deposition. That relief prejudices Lionra, as its technical expert (Dr. Hugh Smith) is available to give live testimony at the September 6 trial. If Fortinet chooses to present Dr. Almeroth by deposition that should not impact Lionra’s presentation.

---

<sup>1</sup> Lionra has addressed its own scheduling issues based on the September 6 Trial Term. Lionra’s validity expert, Eric Cole, is scheduled to attend his father-in-law’s military funeral at Arlington National Cemetery on September 10 but will be able to testify later in the week.

In addition, Fortinet states that its current corporate representative, Jamie Romero, has a planned family vacation. Lionra is sympathetic to family plans but Fortinet can select a different corporate representative, including Mr. Lin Huang (previously deposed), to resolve this conflict and/or have Mr. Romero attend only a portion of the trial.

Accordingly, for at least these reasons, Fortinet's motion should be denied.

Dated: August 28, 2024

Respectfully submitted,

By: /s/ Brett Cooper

Brett E. Cooper (NY SBN 4011011)

[bcooper@bc-lawgroup.com](mailto:bcooper@bc-lawgroup.com)

Seth Hasenour (TX SBN 24059910)

[shasenour@bc-lawgroup.com](mailto:shasenour@bc-lawgroup.com)

Jonathan Yim (TX SBN 24066317)

[jyim@bc-lawgroup.com](mailto:jyim@bc-lawgroup.com)

Drew B. Hollander (NY SBN 5378096)

[dhollander@bc-lawgroup.com](mailto:dhollander@bc-lawgroup.com)

**BC LAW GROUP, P.C.**

200 Madison Avenue, 24th Floor

New York, NY 10016

Tel.: (212) 951-0100

Fax: (646) 293-2201

Andrea L. Fair (TX Bar No. 24078488)

Garrett Parish (TX Bar No. 24125824)

**WARD, SMITH & HILL, PLLC**

1507 Bill Owens Parkway

Longview, TX 75604

Telephone: (903) 757-6400

[andrea@wsfirm.com](mailto:andrea@wsfirm.com)

[gparish@wsfirm.com](mailto:gparish@wsfirm.com)

Glen E. Summers (CO Bar No. 30635)

**BARTLIT BECK LLP**

1801 Wewatta Street, Suite 1200

Denver, CO 80202

Telephone: (303) 592-3100

[glen.summers@bartlitbeck.com](mailto:glen.summers@bartlitbeck.com)

Mark Levine (IL Bar No. 6276086)

Luke Beasley (IL Bar No. 6334359)

**BARTLIT BECK LLP**

54 West Hubbard Street, Suite 300

Chicago, IL 60654

Telephone: (312) 494-4400

[mark.levine@bartlitbeck.com](mailto:mark.levine@bartlitbeck.com)

[luke.beasley@bartlitbeck.com](mailto:luke.beasley@bartlitbeck.com)

*Attorneys for Plaintiff Lionra Technologies Limited*

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A).

/s/ Brett Cooper

Brett Cooper